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REMARKS

Applicants thank the Examiner for the consideration given the present application. New claims 90-119 replace previously pending claims 4-7, 10-23, 25-28, 34, 35, 37, 38, and 63-89, which are cancelled without prejudice or disclaimer, Applicants reserving the right to file one or more continuing applications directed to the subject matter of these claims. Claims 90, 101, and 110 are independent.

Independent claims 90, 101, and 110 are not anticipated by Johnston (U.S. 5,287,478), cited in the Office Action of May 26, 2005, in the rejection of claims 63 and 64 under 35 U.S.C. §102(b); Shnelvar (U.S. 6,374,266) in view of Johnston, relied on in the Office Action in rejecting 4-7, 10-12, 14-23, 25-28, 34, 37, 38, 63-71, and 73 under 35 U.S.C. §102(e). Nor are independent claims 90, 101, and 110 rendered obvious by Shnelvar (U.S. 6,374,266) in view of Gold (U.S. 6,701,450), applied in the Office Action in rejecting claims 13 and 72 under 35 U.S.C. §103(a).

Independent claims 90, 101, and 110 are directed to a tape cartridge having a memory to store codes which can be used to detect unauthorised attempts to amend, add to, or tamper with the data recorded on the tape in the cartridge. Each data recording session is specifically identified by a code that is entered into the cartridge memory and is representative of the data set that has been written in

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that data recording session. A data recording session is one in which the tape drive into which the cartridge is loaded is subject to reposition commands between which the data set is written and between which the code representing the data is created. By storing the codes with a count of the codes, each data session and the data recorded in that session is uniquely identified. By this means, modifications or additions to the data in a recording session can be detected from each code and the count of the code.

Johnston is concerned with a digital data storage system employing a tape where data is streamed from a host to the tape without physically stopping as long as the host provides data at an acceptable rate (see column 5, lines 54-57). Johnston provides data protection in conjunction with a data formatter, which controls the flow of data. During writing of data, a read-after-write (RAW) operation is performed, in which each track just written is read, and an EEC checksum is calculated to verify that the track has been properly written. The main data has three checking mechanisms that apply at the track level (see column 16, lines 60 -62) and do not apply at the data session level occurring between reposition commands. The read-after-write operation verifies that the recording of data onto the tape has been accomplished without error, and the protection afforded by Johnston simply checks for recording errors. The checksums in Johnston are not individually counted, and it, therefore, is not feasible to

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identify them uniquely with the data recording sessions. If the data recorded by Johnston were fraudulent, the checksums could not be analyzed to determine that they were fraudulent.

Shnelvar describes a mass storage system in which data units are written into data allocation units, and a hash value is generated for each data unit. If the hash value is new, that value is stored in a data table, together with a pointer to the data allocation unit in which the data is stored. The data unit is discarded if the hash value is not new. Shnelvar does not disclose recording data on a tape located within a tape cartridge having a cartridge memory in which the data is recorded in data sessions occurring between tape reposition commands. Furthermore, Shnelvar does not store codes with a count of the codes. Shnelvar is, therefore, not able to uniquely identify the data and the data sessions in which the data are recorded.

Neither Shnelvar nor Johnston uniquely identifies data sessions occurring between tape reposition commands by recording a code representing the data and a count of the data recording session, and the combination of Shnelvar and Johnston fails to disclose the combination of features set forth in independent claims 90, 101, and 110.

In view of the foregoing, it is respectfully submitted that independent claims 90, 101, and 110 are not anticipated by Johnston or Shnelvar, taken alone or in combination.

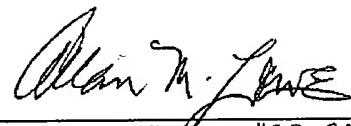
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The combination of Gold and Shnelvar does not render obvious the subject matter set forth in Applicants' independent claims 90, 101 and 110. Moreover, the Gold patent and the presently claimed invention were commonly owned when the present invention was made. Therefore, under 35 U.S.C. §103(c), Gold is not a proper reference against Applicants' claims, and the rejection based thereon must be withdrawn.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are deemed in order, and such action is respectfully requested.

To the extent necessary, Applicants hereby request any required extension of time not otherwise requested and hereby authorize the Commissioner to charge any prescribed fees, including application processing, extension, and extra claims fees, to Deposit Account No. 08-2025.

Respectfully submitted,
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